

NOTICE OF PROPOSED CHANGES IN REGULATIONS OF THE
CALIFORNIA DEPARTMENT OF SOCIAL SERVICES (CDSS)

Item #1 Job Retention Services for Former CalWORKs Recipients

The CDSS hereby gives notice of the proposed regulatory action(s) described below. Any person interested may present statements or arguments orally or in writing relevant to the proposed regulations at a public hearing to be held April 21, 2004 as follows:

April 21, 2004
State Office Building #9
744 P Street, Auditorium
Sacramento, California

The public hearing will convene at 10:00 a.m. and will remain open only as long as attendees are presenting testimony. The CDSS will adjourn the hearings immediately following the completion of testimony presentations. The above-referenced facility is accessible to persons with disabilities. If you are in need of a language interpreter at the hearing (including sign language), please notify CDSS at least two weeks prior to the hearing.

Statements or arguments relating to the proposals may also be submitted in writing, e-mail, or by telefax to the address/number listed below. All comments must be received by 5:00 p.m. on April 21, 2004.

The CDSS, upon its own motion or at the instance of any interested party, may adopt the proposals substantially as described or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of nonsubstantive, technical, or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption to all persons who testify or submit written comments during the public comment period, and all persons who request notification. Please address requests for regulations as modified to the agency representative identified below.

Copies of the express terms of the proposed regulations and the Initial Statement of Reasons are available from the office listed below. This notice and the proposed regulations are also available online at <http://www.dss.cahwnet.gov/ord>. Additionally, all the information which CDSS considered as the basis for these proposed regulations (i.e., rulemaking file) is available for public reading/perusal at the address listed below.

Following the public hearing, copies of the Final Statement of Reasons will be available from the office listed below.

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CHAPTERS

Manual of Policies and Procedures (MPP), Eligibility and Assistance Standards (EAS), Division 42 (Nonlinking Factors Of Public Assistance Eligibility), Chapter 42-700 (Welfare-to-Work), Section 42-717 (Job Retention Services).

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

These proposed regulations amend specific provisions in Section 42-717, Job Retention Services.

Welfare and Institutions Code Section 11320.15 provides that a participant that has received aid for a total of 60 months shall be removed from the assistance unit for the purpose of calculation of aid. However, Welfare and Institutions Code Sections 11323.2(b) and 11500 allow counties to provide job retention services to former recipients for up to 12 months after leaving aid.

The Department issued All County Letter No. 02-92 in response to county requests for calculation of policy regarding the provision of job retention services for former CalWORKs recipients. The letter provided that counties may offer optional services for up to 12 months for former recipients before and after they reach their CalWORKs 60-month time limit, and counties may determine the duration and types of services provided.

These proposed revisions to MPP Section 42-717 clarify that services may be provided to former CalWORKs recipients both before and after they have exhausted their CalWORKs 60-month time limit, and the county may determine the duration, type, and reimbursement rate for services such as transportation.

Revising MPP regulations Section 42-717 conforms the regulations to current policy, allows the counties broader flexibility in providing job retention services, and clarifies the eligibility requirements for services.

COST ESTIMATE

1. Costs or Savings to State Agencies: None
2. Costs to Local Agencies or School Districts: None
3. Nondiscretionary Costs or Savings to Local Agencies: None
4. Federal Funding to State Agencies: None

LOCAL MANDATE STATEMENT

These regulations do not impose a mandate on local agencies or school districts. There are no state-mandated local costs in these regulations which require state reimbursement under Section 17500 et seq. of the Government Code.

STATEMENT OF SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS

The CDSS has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

STATEMENT OF POTENTIAL COST IMPACT ON PRIVATE PERSONS OR BUSINESSES

The CDSS has determined that there is no impact on small businesses as a result of filing these regulations because these regulations are only applicable to state and county agencies.

SMALL BUSINESS IMPACT STATEMENT

The CDSS is not aware of any cost impacts that a representative private person or business would necessarily incur to be in reasonable compliance with the proposed action.

ASSESSMENT OF JOB CREATION OR ELIMINATION

The adoption of the proposed amendments will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

STATEMENT OF EFFECT ON HOUSING COSTS

The proposed regulatory action will have no effect on housing costs.

STATEMENT OF ALTERNATIVES CONSIDERED

The CDSS must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of CDSS would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective and less burdensome to affected private persons than the proposed action.

AUTHORITY AND REFERENCE CITATIONS

The CDSS adopts these regulations under the authority granted in Health and Safety Code Sections 1530 and 1562.3. Subject regulations implement and make specific Welfare and Institutions Code Sections 11320, 11322.6(a), 11323(b) 11323.2(a), and 11500.

CDSS REPRESENTATIVE REGARDING RULEMAKING PROCESS OF THE PROPOSED REGULATION

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AGENDA ITEM(S) FOR THIS PUBLIC HEARING – April 21, 2004

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